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LEGISLATIVE HISTORY

Public Law 87-513
H. J. Res. 769

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INDEX AND SUMMARY OF H. J. RES. 769

June 28, 1962 House Appropriations Committee reported H. J. Res. 769 without amendment. H. Report No. 1944. Print of bill and report.

House passed H. J. Res. 769 without amendment.

H. J. Res. 769 was referred to the Senate Appropriations Committee. Print of bill as referred.

Senate committee reported H. J. Res. 769 without amendment. No written report.

Senate passed H. J. Res. 769 without amendment.

July 1, 1962 Approved: Public Law 87-513.

DIGEST OF PUBLIC LAW 87-513

CONTINUING APPROPRIATIONS, 1963. Provides temporary appropriations until July 31, 1962, to those departments and agencies, including the Department of Agriculture, whose annual appropriation bills had not yet been enacted.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued June 29, 1962
For actions of June 28, 1962
87th-2d, No. 108

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SENATE

1. TEMPORARY APPROPRIATIONS. Both Houses agreed to without amendment H. J. Res. 769, the appropriations continuation resolution to make temporary appropriations until July 31, 1962, to those departments and agencies, including this Department, whose annual appropriation bills have not yet been enacted. This measure will now be sent to the President (pp. 11139-40, 11345-7). The measure had been reported earlier in the day by the H. Appropriations Committee (H. Rept. 1944), and by the S. Appropriations Committee (no written report) (p. 11345).
2. PUBLIC DEBT. By a vote of 55 to 34, passed without amendment H. R. 11990, to provide a temporary public debt limitation of \$308 billion for the period from July 1, 1962, through Mar. 31, 1963, \$305 billion from April 1, 1963, through June 24, 1963, and \$300 billion through the remainder of fiscal year 1963, at which time, under existing law, the debt limit would be \$285 billion. This bill will now be sent to the President (pp. 11293-8, 11306-21, 11323-30, 11337-45). By a vote of 37 to 52, rejected an amendment by Sen. Williams (for himself and Sen. Dirksen) to provide a temporary limitation of \$306 billion (instead of

\$308 billion) for the period July 1, 1962, through Mar. 31, 1963 (pp. 11306-21, 11323-30, 11337-40). Agreed to a motion by Sen. Mansfield to table an amendment by Sen. Capehart calling for a reduction in Federal taxes of not less than \$5 billion and a reduction in Federal expenditures of not less than \$15 billion (pp. 11340-1). Agreed to a motion by Sen. Mansfield to table an amendment by Sen. Miller to provide that in no event shall the public debt limit exceed \$300 billion "if any appropriated funds for the fiscal year ending June 30, 1963, in excess of those appropriated for the previous fiscal year, other than those for the Department of Defense, are spent" (pp. 11341-4).

3. VIRGIN ISLANDS. S. 2429, to revise the boundaries of the Virgin Islands National Park, was made the unfinished business of the Senate. p. 11353
4. FEED GRAINS. Sen. Proxmire discussed the feed grains provisions of the farm bill and said, "It is evident that the mandatory feed grains program failed to win approval in the House in large measure because of the remarkable success of the present program." He urged approval of an extension of the voluntary program. pp. 11354-7
5. RADIATION. Sen. Proxmire discussed his bill S. 3472, to vest primary responsibility for protecting the public health and safety from radiation hazards in the Public Health Service. p. 11357
6. MILK. Sen. Proxmire inserted a statement by the National Academy of Science-National Research Council, "The Nutritional Significance and Safety of Milk and Milk Products in the National Diet." pp. 11357-8
7. PESTICIDES. Sen. Proxmire urged the enactment of legislation to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls. pp. 11358-9
8. ESTES. Sen. Miller inserted a critical article, "Estes Mess Sequel--Pressure Rises for Big Changes in How United States Stores Surplus Grain; Currying of Official Favor Blamed on Storage Space Glut, No Competitive Bids; United States Aids Elevator Buildup." pp. 11359-61
9. GRAIN. Sen. Miller inserted two articles on grain storage operations in Iowa, "Find Three New Corn Shortages," and "Find Six Iowa Warehouses Shy of Grain." pp. 11361-2
10. FARM PROGRAM. Sen. Miller inserted two articles commending the House defeat of the farm bill, "The Vote on the Farm Bill," and "Freeman Bill Is No Help Even to Farmers." pp. 11364-5
11. PERSONNEL. Sen. Miller inserted an article critical of the increase in Federal employment, "Moving Ahead With Jobs." pp. 11365-6
12. CONTRACTS. The Finance Committee reported with amendments H. R. 12061, to extend the Renegotiation Act of 1951 (S. Rept. 1669). p. 11367
13. RECLAMATION. The "Daily Digest" states that the Subcommittee on Irrigation and Reclamation of the Interior and Insular Affairs Committee "approved for full committee consideration S. 284, authorizing the construction of the Bryingpan-Arkansas project, Colorado (amended); and S. 594, authorizing the construction of the Crater-Long Lakes Division of the Snettisham project near Juneau, Alaska (amended)." p. D533

CONTINUING APPROPRIATIONS, 1963

JUNE 28, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. CANNON, from the Committee on Appropriations, submitted the following

R E P O R T

[To accompany H.J. Res. 769]

The Committee on Appropriations to which was referred House Joint Resolution No. 769, making continuing appropriations for the fiscal year 1963, and for other purposes, reports the same to the House without amendment and with the recommendation that the joint resolution be passed.

This joint resolution makes provision for continuing in operation those functions of the Government for which annual appropriation bills will not have been signed into law prior to July 1. This is the customary type of resolution making interim provision for necessary services of Government and operates for the outside time period of 1 month—to July 31.

The committee was importuned—as in past years—to deviate from the stereotyped pattern so as to permit acceleration of certain programs above the current level in advance of final action by the Congress on the items in the regular bills. But it has not done so.

As the resolution itself specifies, and has done for several years, the emphasis is on the *continuation* of existing projects and activities at the lowest of one of three rates: i.e. (1) the current fiscal year; (2) the budget request, where no action has been taken by either House; or (3) the more restrictive amount adopted by either of the two Houses.



H. J. RES. 769

[Report No. 1944]

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 1962

Mr. CANNON introduced the following joint resolution; which was referred to the Committee on Appropriations

JUNE 28, 1962

Reported without amendment; considered and passed

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1963,
and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are appropriated out of any money
4 in the Treasury not otherwise appropriated, and out of
5 applicable corporate or other revenues, receipts, and funds,
6 for the several departments, agencies, corporations, and other
7 organizational units of the Government, for the fiscal year
8 1963, namely:

9 SEC. 101. (a) (1) Such amounts as may be necessary
10 for continuing projects or activities (not otherwise specifi-
11 cally provided for in this joint resolution) which were con-

1 ducted in the fiscal year 1962 and for which appropriations,
2 funds, or other authority would be available in the following
3 appropriation acts for the fiscal year 1963:

4 Legislative Branch Appropriation Act;

5 Department of Defense Appropriation Act;

6 District of Columbia Appropriation Act;

7 Departments of Labor, and Health, Education, and
8 Welfare Appropriation Act;

9 Department of the Interior and Related Agencies Ap-
10 propriation Act; and the

11 Treasury-Post Office Departments and Executive Office
12 Appropriation Act.

13 (2) Appropriations made by this subsection shall be
14 available to the extent and in the manner which would be
15 provided by the pertinent appropriation Act.

16 (3) Whenever the amount which would be made avail-
17 able or the authority which would be granted under an Act
18 listed in this subsection as passed by the House is different
19 from that which would be available or granted under such
20 Act as passed by the Senate, the pertinent project or activity
21 shall be continued under the lesser amount or the more
22 restrictive authority.

23 (4) Whenever an Act listed in this subsection has been
24 passed by only one House or where an item is included in
25 only one version of an Act as passed by both Houses, the

1 pertinent project or activity shall be continued under the
2 appropriation, fund, or authority, granted by the one House,
3 but at a rate for operations not exceeding the current rate or
4 the rate permitted by the action of the one House, whichever
5 is lower: *Provided*, That no provision which is included in
6 any appropriation Act enumerated in this subsection but
7 which was not included in the applicable appropriation Act
8 for the fiscal year 1962, and which by its terms is applicable
9 to more than one appropriation, fund, or authority, shall be
10 applicable to any appropriation, fund, or authority provided
11 in this joint resolution unless such provision shall have been
12 included in identical form in such bill as enacted by both the
13 House and Senate.

14 (b) Such amounts as may be necessary for continuing
15 projects or activities which were conducted in the fiscal year
16 1962 and listed in this subsection at a rate for operations not
17 in excess of the current rate or the rate provided for in the
18 budget estimate whichever is lower:

19 Department of Agriculture and Farm Credit Adminis-
20 tration;

21 Foreign assistance and other activities for which pro-
22 vision was made in the Foreign Assistance and Related
23 Agencies Appropriation Act, 1962;

24 Agencies for which provision was made in the Inde-
25 pendent Offices Appropriation Act, 1962;

- 1 Activities for which provision was made in the Public
2 Works Appropriation Act, 1962;
- 3 Activities for which provision was made in the Military
4 Construction Appropriation Act, 1962;
- 5 Activities for which provision was made in the Depart-
6 ments of State and Justice, the Judiciary and Related Agen-
7 cies Appropriation Act, 1962;
- 8 Department of Commerce;
- 9 American Battle Monuments Commission;
- 10 Arms Control and Disarmament Agency;
- 11 Civil defense and emergency preparedness functions;
- 12 Federal Maritime Commission;
- 13 Foreign Claims Settlement Commission;
- 14 Small Business Administration;
- 15 Subversive Activities Control Board;
- 16 Tariff Commission;
- 17 The Panama Canal;
- 18 St. Lawrence Seaway Development Corporation; and
- 19 Office of Science and Technology (Executive Office of
20 the President).
- 21 (c) Such amounts as may be necessary for continuing
22 projects or activities for which disbursements are made by

1 the Secretary of the Senate, and the Senate items under the
2 Architect of the Capitol, to the extent and in the manner
3 which would be provided for in the budget estimates for the
4 fiscal year 1963.

5 SEC. 102. Appropriations and funds made available and
6 authority granted pursuant to this joint resolution shall
7 remain available until (a) enactment into law of an appro-
8 priation for any project or activity provided for in this joint
9 resolution, or (b) enactment of the applicable appropriation
10 Act by both Houses without any provision for such project
11 or activity, or (c) July 31, 1962, whichever first occurs.

12 SEC. 103. Appropriations and funds made available and
13 authority granted pursuant to this joint resolution may be
14 used without regard to the time limitations set forth in sub-
15 section (d) (2) of section 3679 of the Revised Statutes, as
16 amended, and expenditures therefrom shall be charged to the
17 applicable appropriation, fund, or authorization whenever a
18 bill in which such applicable appropriation, fund, or author-
19 ization is contained is enacted into law.

20 SEC. 104. No appropriation or funds made available or
21 authority granted pursuant to this joint resolution shall be
22 used to initiate or resume any project or activity which was

1 not being conducted during the fiscal year 1962. Appropri-
2 ations made and authority granted pursuant to this joint
3 resolution shall cover all obligations or expenditures incurred
4 for any project or activity during the period for which funds
5 or authority for such project or activity are available under
6 this joint resolution.

[Report No. 1944]

JOINT RESOLUTION

Making continuing appropriations for the fiscal
year 1963, and for other purposes.

By Mr. CANNON

JUNE 28, 1962

Referred to the Committee on Appropriations

JUNE 28, 1962

Reported without amendment; considered and passed



Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, SECOND SESSION

Vol. 108

WASHINGTON, THURSDAY, JUNE 28, 1962

No. 108

House of Representatives

The House met at 11 o'clock a.m.
The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Timothy 2: 19: Nevertheless the foundation of God standeth sure.

O Thou who wert the God of the Founding Fathers and all their succeeding generations, may we never become careless of the legacy of faith and the inheritance of inspiration which they have bequeathed unto us.

We earnestly beseech Thee that in these times of consternation and confusion we may have such a clear and commanding vision of their longings and labors, their prayers and petitions to make this a God-fearing nation, that we shall follow and obey that vision with all the passion and perseverance of our minds and hearts.

Grant that, inspired by our deepest instincts and noblest impulses, we may be brave and courageous in rejecting the creed of a godless adversary and zealously reaffirm our faith in the spiritual values of prayer which are equal to all the dark and dismal moods which are hovering over the souls of many in our day.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12154. An act to amend and extend the provisions of the Sugar Act of 1948, as amended.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. KERR, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. WILLIAMS of Delaware, Mr. CARLSON, and

Mr. BENNETT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8291) entitled "An act to enable the United States to participate in the assistance rendered to certain migrants and refugees."

The message also announced that, pursuant to 16 U.S.C. 513, the Vice President had appointed the Senator from Wisconsin, Mr. WILEY, to be a member of the National Forest Reservation Commission vice the Senator from South Dakota, Mr. Case, deceased.

COMMITTEE ON PUBLIC WORKS

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works have until midnight tonight to file a report on the bill H.R. 12135.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. CANNON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

Alford	Hansen	Santangelo
Aspinall	Hoffman, Mich.	Saund
Blatnik	Holifield	Shelley
Blitch	Horan	Shipley
Celler	Kearns	Smith, Miss.
Curtis, Mass.	McSweeney	Spence
Davis, Tenn.	McVey	Springer
Flood	Norrell	Stubblefield
Glenn	Powell	Thompson, La.
Hagan, Ga.	Rivers, Alaska	Thompson, N.J.
Hall	St. Germain	Yates

The SPEAKER. On this rollcall, 402 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1963

Mr. CANNON. Mr. Speaker, under leave previously granted by the House, I call up the joint resolution (H.J. Res. 769) making continuing appropriations for the fiscal year 1963, and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government, for the fiscal year 1963, namely:

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1962 and for which appropriations, funds, or other authority would be available in the following appropriation acts for the fiscal year 1963:

Legislative Branch Appropriation Act;
Department of Defense Appropriation Act;
District of Columbia Appropriation Act;
Departments of Labor, and Health, Education, and Welfare Appropriation Act;
Department of the Interior and Related Agencies Appropriation Act; and the Treasury-Post Office Departments and Executive Office Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this

subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority, granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in any appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1962, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriations, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1962 and listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate whichever is lower:

Department of Agriculture and Farm Credit Administration;

Foreign assistance and other activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1962;

Agencies for which provision was made in the Independent Offices Appropriation Act, 1962;

Activities for which provision was made in the Public Works Appropriation Act, 1962;

Activities for which provision was made in the Military Construction Appropriation Act, 1962;

Activities for which provision was made in the Departments of State and Justice, the Judiciary and Related Agencies Appropriation Act, 1962;

Department of Commerce;
American Battle Monuments Commission;
Arms Control and Disarmament Agency;
Civil defense and emergency preparedness functions;

Federal Maritime Commission;
Foreign Claims Settlement Commission;
Small Business Administration;
Subversive Activities Control Board;
Tariff Commission;
The Panama Canal;

St. Lawrence Seaway Development Corporation; and

Office of Science and Technology (Executive Office of the President).

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1963.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) July 31, 1962, whichever first occurs.

SEC. 103. Appropriations and funds made available and authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679 of the Re-

vised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or funds made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1962. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Mr. CANNON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this joint resolution makes provision for continuing in operation those functions of the Government for which annual appropriation bills will not have been signed into law prior to July 1. This is the customary type of resolution making interim provision for necessary services of Government and operates for the outside time period of 1 month—to July 31.

The committee was importuned—as in past years—to deviate from the stereotyped pattern so as to permit acceleration of certain programs above the current level in advance of final action by the Congress on the items in the regular bills. But it has not done so.

As the resolution itself specifies, and has done for several years, the emphasis is on the continuation of existing projects and activities at the lowest of one of three rates; that is, first, the current fiscal year; second, the budget request, where no action has been taken by either House; or third, the more restrictive amount adopted by either of the two Houses.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, by virtue of the fact that an unusually large number of authorization bills have not been passed, this continuing resolution does involve greater expenditures than has been true for many years in the past. Is that not an accurate statement?

Mr. CANNON. In that respect the situation this year, with few exceptions, is essentially the same as that which has obtained for several years. As everyone is aware, it is not in order under the rules of the House to bring in the appropriations for any purpose until such appropriations are authorized by law.

There are at this time, for example, four of the principal appropriation bills which, under the rules, it is not in order to bring to the floor because the authorizing legislation has not been finally cleared and signed.

They are the foreign-aid bill, the military construction bill, the space agency program in the independent offices bill, and the atomic energy program in the public works bill. Continuation of the programs and activities of these agencies including, for example, the nuclear weapons testing program, is of course provided for in the pending resolution.

I will say, in anticipation of this situation which almost always obtains at the close of the fiscal year, I petitioned the leadership of the House at the beginning of this session to arrange expedition of the work on the legislative authorizations so that we would not be delayed in presenting the related appropriation bills. Until the authorizing legislation is passed and signed by the President of the United States, it is not in order to do anything about the appropriations.

Mr. GROSS. The Appropriations Committee as a practical matter can hardly embark upon hearings on appropriations until the authorization bills have been passed. Is that not true?

By reason of the fact that we are much later than usual with authorization bills it causes this delay in the Appropriations Committee activity.

Mr. CANNON. Mr. Speaker, our hearings are well along but we cannot finalize the amounts until we know what is authorized. We have virtually completed hearings on all bills except the usual last supplemental bill.

Mr. TABER. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, this is the annual continuing resolution that we have to pass or there will not be any money for the Government to operate on beginning July 1. The amount contained in the bill has been cut down to as low a figure as it could reasonably be under the pending circumstances.

There are four major appropriation bills where the authorizing legislation has not been passed. For that reason it has been impossible for the Appropriations Committee to report out those major bills. We hope the fact that this is for only the month of July will inspire the legislative committees and the two Houses to expedite the authorizing bills so that we can wind up this session. I am glad the 30-day provision is in the resolution because it ought to help conclude the work of the session.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

(Mr. CANNON asked and was given permission to revise and extend his remarks.)

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the continuing resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARMED SERVICES SUBCOMMITTEE ON INVESTIGATIONS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that the Armed Services Subcommittee on Investigations may have permission to sit during general debate today.

87TH CONGRESS
2^D SESSION

H. J. RES. 769

IN THE SENATE OF THE UNITED STATES

JUNE 28, 1962

Read twice and referred to the Committee on Appropriations

JUNE 28, 1962

Reported by Mr. HAYDEN, without amendment

JUNE 28, 1962

Read the third time, considered, and passed

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1963,
and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are appropriated out of any money
4 in the Treasury not otherwise appropriated, and out of
5 applicable corporate or other revenues, receipts, and funds,
6 for the several departments, agencies, corporations, and other
7 organizational units of the Government, for the fiscal year
8 1963, namely:

9 SEC. 101. (a) (1) Such amounts as may be necessary
10 for continuing projects or activities (not otherwise specifi-
11 cally provided for in this joint resolution) which were con-

1 ducted in the fiscal year 1962 and for which appropriations,
2 funds, or other authority would be available in the following
3 appropriation acts for the fiscal year 1963:

4 Legislative Branch Appropriation Act;

5 Department of Defense Appropriation Act;

6 District of Columbia Appropriation Act;

7 Departments of Labor, and Health, Education, and
8 Welfare Appropriation Act;

9 Department of the Interior and Related Agencies Ap-
10 propriation Act; and the

11 Treasury-Post Office Departments and Executive Office
12 Appropriation Act.

13 (2) Appropriations made by this subsection shall be
14 available to the extent and in the manner which would be
15 provided by the pertinent appropriation Act.

16 (3) Whenever the amount which would be made avail-
17 able or the authority which would be granted under an Act
18 listed in this subsection as passed by the House is different
19 from that which would be available or granted under such
20 Act as passed by the Senate, the pertinent project or activity
21 shall be continued under the lesser amount or the more
22 restrictive authority.

23 (4) Whenever an Act listed in this subsection has been
24 passed by only one House or where an item is included in
25 only one version of an Act as passed by both Houses, the

1 pertinent project or activity shall be continued under the
2 appropriation, fund, or authority, granted by the one House,
3 but at a rate for operations not exceeding the current rate or
4 the rate permitted by the action of the one House, whichever
5 is lower: *Provided*, That no provision which is included in
6 any appropriation Act enumerated in this subsection but
7 which was not included in the applicable appropriation Act
8 for the fiscal year 1962, and which by its terms is applicable
9 to more than one appropriation, fund, or authority, shall be
10 applicable to any appropriation, fund, or authority provided
11 in this joint resolution unless such provision shall have been
12 included in identical form in such bill as enacted by both the
13 House and Senate.

14 (b) Such amounts as may be necessary for continuing
15 projects or activities which were conducted in the fiscal year
16 1962 and listed in this subsection at a rate for operations not
17 in excess of the current rate or the rate provided for in the
18 budget estimate whichever is lower:

19 Department of Agriculture and Farm Credit Adminis-
20 tration;

21 Foreign assistance and other activities for which pro-
22 vision was made in the Foreign Assistance and Related
23 Agencies Appropriation Act, 1962;

24 Agencies for which provision was made in the Inde-
25 pendent Offices Appropriation Act, 1962;

- 1 Activities for which provision was made in the Public
- 2 Works Appropriation Act, 1962;
- 3 Activities for which provision was made in the Military
- 4 Construction Appropriation Act, 1962;
- 5 Activities for which provision was made in the Depart-
- 6 ments of State and Justice, the Judiciary and Related Agen-
- 7 cies Appropriation Act, 1962;
- 8 Department of Commerce;
- 9 American Battle Monuments Commission;
- 10 Arms Control and Disarmament Agency;
- 11 Civil defense and emergency preparedness functions;
- 12 Federal Maritime Commission;
- 13 Foreign Claims Settlement Commission;
- 14 Small Business Administration;
- 15 Subversive Activities Control Board;
- 16 Tariff Commission;
- 17 The Panama Canal;
- 18 St. Lawrence Seaway Development Corporation; and
- 19 Office of Science and Technology (Executive Office of
- 20 the President).
- 21 (c) Such amounts as may be necessary for continuing
- 22 projects or activities for which disbursements are made by

1 the Secretary of the Senate, and the Senate items under the
2 Architect of the Capitol, to the extent and in the manner
3 which would be provided for in the budget estimates for the
4 fiscal year 1963.

5 SEC. 102. Appropriations and funds made available and
6 authority granted pursuant to this joint resolution shall
7 remain available until (a) enactment into law of an appro-
8 priation for any project or activity provided for in this joint
9 resolution, or (b) enactment of the applicable appropriation
10 Act by both Houses without any provision for such project
11 or activity, or (c) July 31, 1962, whichever first occurs.

12 SEC. 103. Appropriations and funds made available and
13 authority granted pursuant to this joint resolution may be
14 used without regard to the time limitations set forth in sub-
15 section (d) (2) of section 3679 of the Revised Statutes, as
16 amended, and expenditures therefrom shall be charged to the
17 applicable appropriation, fund, or authorization whenever a
18 bill in which such applicable appropriation, fund, or author-
19 ization is contained is enacted into law.

20 SEC. 104. No appropriation or funds made available or
21 authority granted pursuant to this joint resolution shall be
22 used to initiate or resume any project or activity which was

1 not being conducted during the fiscal year 1962. Appropri-
2 ations made and authority granted pursuant to this joint
3 resolution shall cover all obligations or expenditures incurred
4 for any project or activity during the period for which funds
5 or authority for such project or activity are available under
6 this joint resolution.

Passed the House of Representatives June 28, 1962.

Attest: RALPH R. ROBERTS,
Clerk.

JOINT RESOLUTION

Making continuing appropriations for the fiscal
year 1963, and for other purposes.

JUNE 28, 1962

Read twice and referred to the Committee on
Appropriations

JUNE 28, 1962

Reported without amendment

JUNE 28, 1962

Read the third time, considered, and passed

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LAUSCHE

THE RISE IN THE DEBT LIMIT

Mr. LAUSCHE. Mr. President, it will be with reluctance that I will approve the measure which will authorize an increase in the national debt from \$298 billion to \$300 billion. I think it is rather certain that within a short time an additional request will be made to increase the debt limit to \$308 billion.

I will approve of the measure which will come before the Senate because it is obvious that for the fiscal year \$2 billion more is needed if the Government is to pay its debts.

Since I have been a Member of the Senate I have tried to fight against creating new subsidies, expanding old ones, and taking on functions that properly belong to local and State governments, and I have tried to stop the making of expenditures for what are desirable but not essential activities of the Federal Government. Others have also fought against those measures, but the fight has been rather unsuccessful.

Already pending before the Senate for the ensuing year are many new proposals for expanded subsidies, for the creation of new ones, for the taking on of functions which do not belong to the Federal Government, but belong to the local and State governments, and for the expenditure of funds for nonessential, although perhaps desirable projects.

Mr. President, we cannot continue on the way we have been proceeding. The national debt will be \$308 billion, and the probability is that next year there will be requests for added expenditures.

Those who vote for these measures ought unhesitatingly to approve the expansion of the debt limit; but in fighting on the floor of the Senate against precipitating the Federal Government inordinately into debt and in fighting against darkening the prospects of ever being able to reduce taxes, I would not be honest with myself if then, in one sweep, completely inconsistent with what I have been advocating, I were to vote in favor of expanding the national debt.

There has been a limitation by law on the size of the national debt. That law has acted as a barricade to prevent the Congress from indulging in extravagant expenditures. I intend to recognize the purpose of that law, and I intend to make the fight against inordinate expenditures. In order to do that when the next measure of this sort comes before the Senate, I shall ask that we take a deep look at this entire problem before we expand the debt to \$308 billion.

The ACTING PRESIDENT pro tempore. The time available to the Senator from Ohio, under the morning-hour limitation, has expired.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. ENGLE], the Senator from Washington [Mr. MAGNUSON], and the Senator from Michigan [Mr. McNAMARA], are absent on official business.

I further announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Alaska [Mr. GRUENING], are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. ENGLE], the Senator from Washington [Mr. MAGNUSON], the Senator from Michigan [Mr. McNAMARA], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Alaska [Mr. GRUENING], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. KUCHEL] and the Senator from Kansas [Mr. PEARSON] are necessarily absent, and, if present and voting, would each vote "yea."

The Senator from Wisconsin [Mr. WILEY] is detained on official business, and, if present and voting, would vote "yea."

The result was announced—yeas 55, nays 34, as follows:

[No. 103 Leg.]

YEAS—55

Aiken	Hayden	Morton
Anderson	Hickey	Moss
Bartlett	HNI	Muskie
Beall	Humphrey	Neuberger
Bible	Jackson	Pastore
Boggs	Javits	Pell
Byrd, W. Va.	Johnston	Prouty
Cannon	Keating	Randolph
Carroll	Neftauer	Saltonstall
Case	Kerr	Smathers
Church	Long, Mo.	Smith, Mass.
Clark	Long, Hawaii	Smith, Maine
Cooper	Long, La.	Sparkman
Dirksen	Mansfield	Symington
Douglas	McCarthy	Williams, N.J.
Fulbright	McGee	Yarborough
Gore	Metcalf	Young, Ohio
Hart	Monroney	
Hartke	Morse	

NAYS—34

Allott	Ervin	Proxmire
Bennett	Fong	Robertson
Bush	Goldwater	Russell
Butler	Hickenlooper	Scott
Byrd, Va.	Holland	Stennis
Capehart	Hruska	Talmadge
Carlson	Jordan	Thurmond
Cotton	Lausche	Tower
Curtis	McClellan	Williams, Del.
Dworschak	Miller	Young, N. Dak.
Eastland	Mundt	
Ellender	Murphy	

NOT VOTING—10

Burdick	Gruening	Pearson
Chavez	Kuchel	Wiley
Dodd	Magnuson	
Engle	McNamara	

So the bill (H.R. 11990) was passed.

Mr. KERR. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to table that motion.

The motion to table was agreed to.

Mr. SPARKMAN obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Montana, with the understanding that I do not lose the floor.

CONTINUATION OF SUSPENSION OF DUTIES FOR METAL SCRAP

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1592, H.R. 10095, the metals scrap bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 10095) to continue until the close of June 30, 1963, the suspension of duties for metal scrap, and for other purposes.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of Virginia. Mr. President, the bill would extend for 1 year the suspension of duties on metal scrap. There was no opposition to it in the House or Senate Finance Committees.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

CONTINUING APPROPRIATIONS FOR THE MONTH OF JULY 1962

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HAYDEN. Mr. President, from the Committee on Appropriations I report favorably House Joint Resolution 769, making continuing appropriations for the month of July 1962, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 769) making continuing appropriations for the month of July 1962.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, this joint resolution is of the usual type making provision for continuing in operation the functions of Government for which annual appropriations for fiscal year 1963 have not been enacted. The joint resolution will continue in effect until July 31, 1962, and covers all of the regular appropriation bills.

In those instances where bills have passed one or both bodies and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

Where a bill has passed only one House, or where an item is included in only one version of the bill as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate of operations not exceeding the fiscal

1962 rate or the rate permitted by the one House, whichever is lower.

In instances where neither House has passed appropriation bills for fiscal 1963, amounts are approved for continuing projects or activities conducted in fiscal 1962 not in excess of the current year's rate or at the rate provided for in the budget estimate, whichever is lower.

This resolution is similar to continuing resolutions which are agreed to every year. It is noncontroversial, and I am sure has bipartisan support.

Mr. JAVITS. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. JAVITS. We all understand the purpose of the resolution and the need for it. I agree with the Senator from Arizona that one could hardly oppose it.

But can the Senator tell us anything about when the logjam of appropriation bills which confronts all of us, and from which the country is suffering—and I do not think it is an inconsiderable factor to say that business in this country also is suffering from it—including the supplemental appropriation bill and the \$200 million resolution which the Senate passed the other day to provide for imminently needed projects, will, in the interests of the country, be settled?

Mr. HAYDEN. The resolution which the Senate passed last Saturday is pending in the House of Representatives. The Senator will have to ask the House of Representatives about that. That resolution takes care of all the emergencies that the Senate Committee on Appropriations knew anything about.

Mr. JAVITS. May I ask our venerated and distinguished colleague another question? He knows I love him, so I do not ask the question critically. This subject is one pregnant with interest to our whole Nation. Is there any way in which any of us can bring this problem to some resolution? Is there any power in the Senate to act in such a way as, perhaps, to strengthen the Senator's hand or to help him to bring the problem to resolution in terms of the conferences which have completely broken down?

Mr. HAYDEN. I cannot speak for the other body. I can only say that the Senate committee has proceeded in the way it has usually proceeded in the handling of such bills. Proposals have been made to me, and I have submitted them to my committee. The committee has made counterproposals, and they have not been accepted.

Mr. JAVITS. I understand the Senator's situation; I have no desire to press him. However, representing a large and important State, a State which pays a very large share of taxes, and having great responsibilities, I think it is high time the American people demanded of their Senators and Members of the House of Representatives that the nonsense about conferences shall cease, and that personal vendettas, whatever they may be, should not stand in the way of the public business.

I take advantage of the Senator's graciousness to say that apparently the American people will now have to take action, because the situation has got beyond us; we seem not to be able to do anything about it.

Mr. HAYDEN. We shall do the very best we can, so far as the Senate is concerned.

Mr. SPARKMAN. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Alabama yielded the floor to the Senator from Arizona.

Mr. SPARKMAN. The Senator from Alabama is still entitled to the floor, except so far as he has yielded temporarily to the Senator from Arizona. Is not that correct? Should not requests for yielding the floor be addressed to the Senator from Alabama?

The PRESIDING OFFICER. The Senator from Alabama is correct.

Mr. SPARKMAN. I have made this point because I have obtained the floor for the purpose of calling up a conference report. I yielded the floor on the supposition that other matters would take a very few minutes. I did not expect to run into a great logjam of discussion which would further delay action on the conference report. I have been waiting most of the afternoon to call up the report.

Mr. HAYDEN. There is no controversy about the continuing resolution.

Mr. SPARKMAN. No; but I serve notice that I do not wish to yield for an interminable discussion.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Alabama yield briefly to me?

Mr. SPARKMAN. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I thank both the Senator from Alabama and the Senator from Arizona.

I understand the Senator from Arizona has received letters from the General Services Administration and the Department of the Interior, both to the effect that, notwithstanding the provisions of the resolution, they will not use any of the funds which were provided for the negotiation of any new contracts for the procurement of lead, zinc, or other minerals, or for the procurement of any contract in connection with the subsidy of either or any of those metals.

Mr. HAYDEN. During the month of July.

Mr. WILLIAMS of Delaware. That is correct.

Mr. HAYDEN. I have two letters which I shall be pleased to place in the RECORD.

Mr. WILLIAMS of Delaware. I appreciate the Senator's supplying that information.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the letter from the Department of the Interior and the letter from the General Services Administration on this subject.

There being no objection, the letters were ordered to be printed in the RECORD as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, June 28, 1962.

The Honorable CARL HAYDEN,
Chairman, Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is to advise you that in connection with House Joint Resolution 769, to continue appropriations for the month of July 1962, none of the funds made

available to the Department of the Interior therein will be used for the lead and zinc stabilization program.

The second supplemental appropriation bill, 1962, H.R. 11038, recommended appropriations of \$4,880,000 for the lead and zinc stabilization program. However, this bill has never been enacted into law and, consequently, no funds were available for this program in fiscal year 1962.

Under the terms of House Joint Resolution 769, the Department of the Interior would be precluded from using any money from the continuing resolution for the lead and zinc stabilization program.

Sincerely yours,

SIDNEY D. LARSON,
Director of Budget and Finance.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 28, 1962.

HON. CARL HAYDEN,
Chairman, Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As requested, this is to advise you that in connection with House Joint Resolution 769, to continue appropriations for the month of July 1962, none of the funds appropriated therein will be used for the negotiation of contracts for the procurement of lead, zinc, or other minerals, nor for the contracting thereof, nor as a subsidy for the production thereof, unless they are certified as indispensable to the stockpile program for strategic and critical materials, or unless they are certified as indispensable to current Government operations.

This, however, shall not apply in the case of contracts already negotiated under which the United States is liable for the procurement of such materials for the strategic and critical materials stockpile.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the joint resolution.

The joint resolution (H.J. Res. 769) was agreed to.

Mr. GORE. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. GORE. With all kindness and friendship to the senior Senator from New York [Mr. JAVITS], I must resist his statement that because he represents a State which has a large population and contributes a large amount of the Nation's revenue, somehow he has more responsibility than other Senators.

I suggest to the distinguished Senator from New York that we are equal Members in an equal body. Our responsibilities cannot be divided or apportioned according to the population of the States we represent.

Mr. JAVITS. Mr. President, will the Senator from Alabama allow me to answer the Senator from Tennessee?

Mr. SPARKMAN. If the Senator from New York will confine himself to brief remarks.

Mr. JAVITS. I do not think the Senator from New York has a reputation for being verbose.

I could not agree more with the Senator from Tennessee. The implication of my words was clear that New York has so many interests and so many things at stake in all these bills because of its size and because of the financial interests which are involved there, that we feel very heavily hurt by the fact that

nothing is getting done on all these bills. That was the only implication of my statement.

Mr. GORE. I am glad the Senator from New York has spelled that out.

Mr. JAVITS. I thoroughly agree with the Senator from Tennessee. He and every other Senator, no matter how small his State or how limited its resources, are fully equal in this body.

Mr. GORE. I thank the Senator from New York.

INTERPARLIAMENTARY UNION APPROPRIATION

Mr. GORE. Mr. President, I wish to report to the Senate that the Interparliamentary Union, which it is my privilege to head has remaining, unexpended, \$10,428.10. I am advised by the Department of State that unless those funds are withdrawn before July 1, they will not be available and, furthermore, will revert to the Treasury. The funds will not be withdrawn.

I think this may serve as a good example for agencies of the executive branch of the Government. If all agencies would permit their unused funds to revert to the Treasury, the Committees on Appropriations of Congress could exercise their responsibilities with a great deal more prudence and precision than to permit the following of the practice in which so many agencies indulge, of somehow obligating or using all unappropriated funds before the end of the fiscal year.

The Interparliamentary Union meeting for this year has been changed from Argentina to Brazil. It will begin in Brasilia on October 24.

I thank the Senator from Alabama.

CONTINUATION OF AUTHORITY FOR REGULATION OF EXPORTS— CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3161) to provide for continuation of authority for regulation of exports, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3161) to provide for continuation of authority for regulation of exports, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 12 of the Export Control Act of 1949 is amended by striking out 'June 30, 1962' and inserting in lieu

thereof 'June 30, 1963';" and the House agrees to the same.

A. WILLIS ROBERTSON,
JOHN SPARKMAN,
PAUL H. DOUGLAS,
HOMER E. CAPEHART,
WALLACE BENNETT,

Managers on the Part of the Senate.

WRIGHT PATMAN,
ALBERT RAINS,
ABRAHAM J. MULTER,
WILLIAM A. BARRETT,
CLARENCE KILBURN,
WILLIAM B. WIDNALL,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, the conferees from the two Houses on S. 3161, the extension of the Export Control Act, were faced with difficult problems and with little time to solve them before the June 30 deadline would arrive.

The Senate bill would have made the law permanent, and it would have written into the law three amendments. Acting on the basis of the overwhelming votes of the Senate, the Senate conferees urged these amendments vigorously.

The House bill would have extended the act for 3 years and would have made four substantive amendments. Acting on the basis of the overwhelming vote of the House in favor of its bill, the House conferees urged the House amendments vigorously.

On both sides, the conferees felt that substantial amendments to the act had been proposed, and that the implications of some of these amendments might be very substantial and far reaching. The conferees felt that there was not time, before the act expires this Saturday, to explore the implications of these amendments with the care and attention, and with the advice and guidance from the executive departments and the public, which the amendments warrant.

Under these circumstances, the conferees felt that the only possible course they could take was to continue the present act with a 1-year extension, so that further study would be given to the important problems of foreign trade, particularly East-West trade, which these amendments raise.

The Senate conferees regretted that they were not able to have the Senate amendments written into the law. However, it seemed unwise to do so at the price of accepting substantial amendments, which might perhaps have disastrous effects upon our foreign trade, without an opportunity for full hearings and thorough consideration by the committee and by the Senate.

The House conferees felt the same way about the Senate amendments.

While the Senate amendments were not written into the extension of the act, I should like to call to the attention of the Secretary of Commerce, the Secretary of State, and the other officials exercising functions under the Export Control Act, the position taken by the Senate on these amendments.

The committee and the Senate supported the principle embodied in Sena-

tor JAVITS' amendment that the executive branch should exert every effort to obtain the maximum cooperation among the free nations of the world in exercising controls over free-world trade with the Sino-Soviet bloc and with other unfriendly nations. Even though this was not written into the act by the conferees, no question was raised as to this policy.

Senator KEATING's amendments made it clear that the economic significance of exports to unfriendly nations should be considered and should be emphasized. No question was raised as to the desirability of this policy. Senator KEATING's amendments also made it clear that repeated or willful violations of the Export Control Act and regulations were considered as very serious offenses and deserving of heavy penalties. No question was raised as to this opinion.

In my judgment, the Secretary of Commerce, the Secretary of State, and the other officials exercising functions under the Export Control Act should bear these views in mind, even though they have not been expressly written into the act, and these officials should be governed, in the exercise of the wide discretion given them under the Export Control Act, by these views of the Senate.

Mr. KEATING. Mr. President, first, I wish to express my gratitude to the distinguished Senator from Alabama [Mr. SPARKMAN] for the very kind things he had to say about these amendments and for his conscientious efforts in conference.

But, Mr. President, we are faced with an incredible situation. The Senate adopted the amendments which I offered by a vote of 57 to 2, and then passed the bill itself, also incorporating the amendment of my colleague [Mr. JAVITS], by a vote of 59 to 1.

The other body also passed amendments to strengthen the Export Control Act by a rolcall vote of 339 to 0. Yet tonight we are asked to scrap all that work and simply drop all these amendments.

In my judgment, this conference report should be rejected. It does complete violence to the spirit of the action in both Houses on this bill. It is a severe blow to those of us who have been trying to put muscle into the effort of the United States to combat Communist economic warfare tactics. Our amendments were opposed by the executive departments—unwisely, in my judgment—but prevailed in both the House and Senate. The conferees have now capitulated to the desires of the agencies administering export controls instead of carrying out the wishes of the House and Senate.

This action, if successful, will weaken our position in the struggle with communism, make it more difficult than ever to get the agreement of our allies on realistic measures to combat Communist procurement of vital materials from the free world, and encourage continued violations of export controls by a few greedy and unscrupulous traders at the expense of the rest of the business community and the interest of the United States.

Mr. President, I believe that agreement on the amendments between the House and Senate can be reached and shall move to recommit the conference report.

The amendments adopted by the Senate did not go as far in some respects as did the amendments adopted by the other body. But I find nothing inconsistent in the action of the two Houses on this bill and it is apparent that the overwhelming sentiment in both bodies is in favor of strengthening this act. The House amendment in issue changes section 3 of the present act, by adding a new provision as follows:

Such rules and regulations shall provide for denial of any request or application for authority to export articles, materials, or supplies, including technical data, from the United States, its territories and possessions, to any nation or combination of nations threatening the national security of the United States, including, but not limited to, the Union of Soviet Socialist Republics and all countries under its domination.

The amendment does not stop there. It then provides—

unless the President shall determine that such export does not significantly contribute to the military or economic potential of such nation or nations which could prove detrimental to the national security and welfare of the United States.

Mr. President, there is flexibility under this amendment. These materials should not be shipped to the Communist bloc unless the President determines that the export of these materials will not prove detrimental to the national security of the United States. The Department of Commerce in its report to the House on this amendment said this is the standard it is now following.

There is no need to have further hearings on this subject. The Senate Internal Security Subcommittee has held extensive hearings on this subject. A select committee of the other body, headed by the distinguished Member from North Carolina, Representative KITCHIN, has held extensive hearings and his amendment is a direct outgrowth of those hearings. We have been over this ground thoroughly. What we are proposing is guidelines to the executive departments, in light of our hearings, which we know are necessary. Both Houses acted overwhelmingly in approving strengthening amendments. The conference report omits all these amendments. In my judgment we should reject this conference report and recommit the bill to the conference committee.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. KEATING. Mr. President, on this question I ask for the yeas and nays. The yeas and nays were ordered.

Mr. JAVITS. Mr. President, one of the amendments dropped in the conference was an amendment which I sponsored and which the committee adopted. It provides that:

Congress further declares that it is the policy of the United States to formulate, reformulate, and apply such controls to the maximum extent possible in cooperation with all nations with which the United

States has defense treaty commitments, and to formulate a unified commercial and trading policy to be observed by the non-Communist-dominated nations or areas in their dealings with the Communist-dominated nations.

Mr. President, this is an extremely important matter, because the Soviets are now using us to a fare-thee-well, in the free world—playing off one industrial country against another, and having their way with the trade in the world, instead of observing any basic rules of trade such as are observed by any nation which is a member of the General Agreements on Tariffs and Trade or by the customs of our world.

Many persons have written on this subject. I wrote a report on this subject, and investigated it at the behest of the Joint Economic Committee, and went to Moscow; and my colleague [Mr. KEATING] has done a great amount of work in this field; and everyone agrees that there should be a unified trading policy.

So the committee wisely adopted this amendment, and it was approved by the Senate.

But now our dear friend and colleague the Senator from Alabama [Mr. SPARKMAN], who has his troubles with the House conferees, tells us that we must drop this amendment and that the House will not go along with us unless we go along with its amendment, but its amendment happens to be so sweepingly worded that if it were included, the President perhaps would be subjected to embarrassment in order to avoid cutting off all commercial intercourse with the Communist bloc nations; and therefore we are told that we must go along and must accept a 1-year extension, because the act expires Saturday night.

Mr. President, perhaps we could understand that position if it were in another context and at another time and if the issues were not so important.

In this connection, I have the greatest sympathy for my colleague [Mr. KEATING], who worked hard on his amendments. Finally they were agreed to by an overwhelming majority of the Senate. His amendments are directed at putting our domestic house in order and seeing to it that the penalties are made to fit the crime when the national interest is so arrogantly defied in the case of export controls.

I tried to provide for similar procedure with respect to international authority, in directing our Government authorities to put their feet on the road toward closing an enormous hole in our dike of freedom, in terms of trade. But all these amendments are dropped by the conference report.

I believe that this conference report confronts us with the same thing—and I say this with the greatest respect for the Senator from Alabama—that we considered when, a few moments ago, I protested against conferences which are absolutely broken down and deadlocked.

Somehow or other, the most stubborn persons control the Congress. It may be one, it may be two, it may be three, or it may be four. Somehow or other, the majority cannot manifest its will; and

what is even more important, it frequently fails to show that degree of dug-in determination which the people have a right to expect from a majority in order to manifest its will.

Suppose there were no export controls on Saturday night because some of the vital provisions referred to by myself or my colleague [Mr. KEATING] were not a part of the conference report? This would be very harmful, but it would be the essence of a democracy. The fact that it is harmful does not mean that it would not be well to do it that way.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. Was it ever proposed that these controls be extended for a year?

Mr. JAVITS. I know of no such proposal by anyone in our committee. It was not considered. We embraced a forward step in what we all recognized was a difficult field.

Mr. MORSE. Does the Senator from New York believe the Senator from Oregon would be guilty of fallacious thinking if he said our own Senate committee thought that an extension for just 1 year would not be satisfactory?

Mr. JAVITS. That was my distinct impression as a member of the committee. I thought that was the consensus. Certainly it was the view of the Senate when it acted in a most deliberate way on the proposal of my colleague from New York [Mr. KEATING].

Mr. MORSE. Is it the Senator's opinion, if it was not stated in the Senate, that if we extended the controls for 1 year, the whole consideration of the Senate was that there ought to be some changes in existing policy, and that we have the same obligation tonight, when a conference report comes back which constitutes, in my judgment, a surrender to some very mistaken policy on the part of the State Department in the matter of export controls, we must now give to the House, merely because we have had a tough conference, what it undoubtedly would have been willing to settle for in the very beginning—a conference report on a policy not expressed by the Senate at the time the Senate sent the bill to conference?

Mr. JAVITS. I thoroughly agree.

I point out that one of the things "eating on" the country is the assumption that "we have the authority if we want to do it. You do not have to instruct us and give us any more authority."

Consider the pass we are in. I think the Congress is suffering in its own prestige very seriously because in any real appraisal of policy the executive department is looked to. It is being recognized that the Congress is not an element in policymaking, and we are regarded as stubborn children when we will not do something that the President wants, and when we take no affirmative action.

Businessmen are deflated over the fact that they do not have confidence in the Congress, because it does not know where it stands. I come from the center of the business world—New York City. I find no businessman who says, "I may be



Joint Resolution

76 STAT. 125.

Making continuing appropriations for the fiscal year 1963, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government, for the fiscal year 1963, namely:

Continuing
appropriations,
1963.

SEC. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1962 and for which appropriations, funds, or other authority would be available in the following appropriation acts for the fiscal year 1963:

Legislative Branch Appropriation Act;
Department of Defense Appropriation Act;
District of Columbia Appropriation Act;
Departments of Labor, and Health, Education, and Welfare Appropriation Act;
Department of the Interior and Related Agencies Appropriation Act; and the
Treasury-Post Office Departments and Executive Office Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority, granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in any appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for the fiscal year 1962, and which by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1962 and listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate whichever is lower:

Department of Agriculture and Farm Credit Administration;
Foreign assistance and other activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1962;

Agencies for which provision was made in the Independent Offices Appropriation Act, 1962;

Activities for which provision was made in the Public Works Appropriation Act, 1962;

Activities for which provision was made in the Military Construction Appropriation Act, 1962;

Activities for which provision was made in the Departments of State and Justice, the Judiciary and Related Agencies Appropriation Act, 1962;

Department of Commerce;

American Battle Monuments Commission;

Arms Control and Disarmament Agency;

Civil defense and emergency preparedness functions;

Federal Maritime Commission;

Foreign Claims Settlement Commission;

Small Business Administration;

Subversive Activities Control Board;

Tariff Commission;

The Panama Canal;

St. Lawrence Seaway Development Corporation; and

Office of Science and Technology (Executive Office of the President).

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1963.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) July 31, 1962, whichever first occurs.

SEC. 103. Appropriations and funds made available and authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or funds made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1962. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Approved July 1, 1962.

